

1 LEONARDO M. RAPADAS
2 United States Attorney
3 MIKEL W. SCHWAB
4 Assistant U.S. Attorney
5 Sirena Plaza, Suite 500
6 108 Hernan Cortez Avenue
7 Hagatna, Guam 96910
8 Tel: 671-472-7332
9 Fax: 671-472-7215

6 Paul Ortiz
7 Senior Attorney
8 Office of General Counsel
9 National Oceanic and Atmospheric Administration
10 501 West Ocean Blvd.
11 Suite 4470
12 Long Beach, California 90802
13 Tel: 562- 980- 4069

11 Attorneys for the United States of America

FILED
DISTRICT COURT OF GUAM

OCT - 4 2006 *PSN*

MARY L.M. MORAN
CLERK OF COURT

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE
15 TERRITORY OF GUAM

17 UNITED STATES OF AMERICA,
18
19 Plaintiff,
20 vs.
21 KOO'S 108,
22 Defendant.

CIVIL CASE NO. **06-00029**

ORDER
JUDICIALLY AUTHORIZING
WARRANT FOR ARREST

23
24 This matter came before the Court for review on 4th day of October, 2006. The
25 Court after reviewing the verified Complaint and supporting papers and good cause
26 appearing, finds that the conditions for an in rem seizure appears to exist in that this is an
27 in rem action in admiralty for violation of provisions of the Magnuson-Stevens Fishery
28 Conservation and Management Act (See Fed.R.Civ.P. Rule C (1)(b) and 16 U.S.C. §§

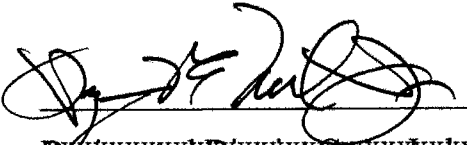
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1 1858(d) and 1860 (a)), rendered by the **KOO'S 108**, and the property is presently
2 operating out of a port in the Marshall Islands and continues to operate in and around the
3 EEZ of Howland and Baker Islands. The Vessel has substantial operations in the waters
4 of Kiribati and other Pacific Islands in the region.

5 **IT IS HEREBY ORDERED** that a Warrant for the Arrest of the **KOO'S 108**,
6 her fishing gear, furniture, appurtenances, stores, cargo, electronic and documentary
7 records (including plotters, fax machines and other devices), and catch of fish is
8 authorized and shall issue and be delivered to the Clerk of the Court who shall prepare
9 and deliver the warrant to the U.S. Marshal for service on the defendant Vessel through
10 its master or person in charge of the defendant Vessel. The U.S. Marshal shall move the
11 **KOO'S 108** as he deems necessary. The U.S. Marshal has discretion under direction of
12 the Court, to;

- 13 - authorize who can board the vessel, including properly credentialed
- 14 representatives of the United States, any alleged or prospective owners, and the crew;
- 15 - authorize crew or other persons to remain on board for the maintenance
- 16 and upkeep of the KOO'S 108;
- 17 - unload perishables and other items, as inventoried and approved by the
- 18 U.S. Marshals.

19
20 DATED this 4th day of October, 2006.

21
22 

23 ~~Designated District Court Judge~~
24 JOAQUIN V.E. MANIBUSAN, JR.
25 U.S. Magistrate Judge
26
27
28